

ELECTION AND REFERENDA COMMITTEE RULING

Toronto Metropolitan Students' Union General Elections 2024

The following is a ruling of the Elections and Referenda Committee relating to the 2024 TMSU General Election.

The rules and procedures of the election are determined by the TMSU By-Laws and the Election Procedure Code, which can be found here: yourtmsu.ca/election

Ruling Code #	ERC#004
Date Received:	February 27, 2024
Date of Ruling:	February 28, 2024
Related Rulings	CRO#001
Type of Decision	ERC Appeal
Nature of Decision	If the ERC sustains the CRO's initial ruling CRO#002 then the candidate would be in violation of section 8.3.7.2 Violation Campaigning (Unsolicited Campaigning (including email, phone calls and social media))
Complainant/CRO:	CRO Ruling
Nominee/ Candidate:	Yumna Hussain
Alleged Violation in By-laws or the Code	8.1.6. It is the responsibility of the Candidates to ensure that all Campaign methods, Campaign Materials and advertisements conform to all policies and regulations of the TMSU and the University, and with all municipal, provincial and federal laws. Campaign displays and distribution of literature on campus are also subject to the individual rules and regulations of Buildings on Campus.



Relevant Penalties provided in the Code	8.3.7.2 Violation Campaigning - Unsolicited campaigning [including email, phone call and social media] with maximum of 10 demerit points
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Evidence presented by the CRO:

The CRO provided a screenshot of a Whatsapp chat and an email from the Candidate showing that they shared their nomination form and a QR code to a Whatsapp group chat. At the time the email was sent the Candidate was emailing to CRO to inquire if what they had done was a violation of the EPC.

Evidence presented by the Nominee/Candidate:

The Candidate explained that they believe that they were allowed to share their nomination form in their class group chat, however they were given information from a non-elections official that doing so might be a violation of the EPC.

CRO/ERC Decision:

The ERC has decided that section 8.1.6 - Adherence to Existing Policy and section 8.3.7.2 Violation Campaigning (Unsolicited Campaigning) are not applicable due to the fact that the content being shared in the group chat was a nomination form and it is not considered to be campaigning since this action was not an attempt to solicit votes for or against a Candidate or Slate.

CRO/ERC Decision	
Penalties Issued	Demerits have been reversed from ten (10) points to zero (0)
Deadline to Appeal	N/A

